THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No.20744 of 2005

Date 27.09.2007

Between:
Mamidisetty Janakiratnam.

..... PETITIONER

AND

The District Collector, E.G., Kakinada & others.

.....RESPONDENT

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No. 20744 OF 2005

O R D E R:

This writ petition is filed by the petitioner aggrieved by the inaction of the respondents in not properly determining the compensation to which the petitioner is entitled to with reference to the building, which was demolished for laying the road by the fourth respondent.

It is stated in the affidavit filed in support of the writ petition that originally the authorities had determined the compensation at Rs.7,05,885/- for the demolished building of the petitioner and a copy of the said determination was communicated to the petitioner. However, subsequently, the compensation payable to the petitioner was reduced to Rs.4,43,918/-, much lesser than the original figure and such, re-determination was done without issuing notice to the petitioner. Petitioner states that as he was not satisfied with regards the determination of the compensation payable to the demolished building of the petitioner, he made representations to the respondents. Since no final orders have been passed so far, the petitioner has come up with the present writ petition.

Counter affidavit has been filed by the third respondent, wherein he has admitted that a detailed estimate was prepared for Rs.7,05,835/- in respect of the demolished building of the petitioner and the same was sent to the Sub-Collector, Rajahmundry, by his office order dated 30-01-2002. Revaluation statement was prepared after joint inspection and basing on that, revised statement for Rs.4,43,918/- was prepared, which was again sent to the Sub-

Collector, Rajahmundry, vide office letter dated 27-12-2002.

Neither in the report nor in the counter filed by the respondents, clear reasons are furnished as to why there was so much variation in the revised valuation report of the demolished building of the petitioner. It is stated by the learned counsel for the petitioner that though representations have already been made for determination in terms of Section 3G(5) of the National Highway Act, no action has been taken by the respondents and, therefore, sought for appropriate directions.

After hearing all the parties, the writ petition is disposed of directing the first respondent to consider and dispose of the representation of the petitioner dated 28-06-2002 with reference to the compensation payable to the petitioner for the demolished building. If the representation has not been transmitted by the fifth respondent, which was addressed to him, the fifth respondent is directed to transmit the same to the first respondent and thereafter, the first respondent is directed to dispose of the matter within a period of six weeks from the date of receipt of a copy of this order. No order as to costs.

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27-09-2007

Note:Furnish copy within one week
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